

EXHIBIT A

Wes Rahn

From: Wes Rahn
Sent: Tuesday, March 19, 2024 8:47 AM
To: Wes Rahn
Subject: FW: Subpoenas to Coffee County Board of Elections and Registration and Cheney - Curling v. Raffensperger

From: Bruce Brown <bbrown@brucebrownlaw.com>
Sent: Friday, August 5, 2022 6:02 PM
To: Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>
Cc: Cross, David D. <DCross@mofo.com>; Adam M. Sparks <sparks@khlawfirm.com>; Russ Abney <rabney@wattsguerra.com>; Halsey G. Knapp, Jr. <hknapp@khlawfirm.com>; Kaiser, Mary <MKaiser@mofo.com>; Conaway, Jenna B. <JConaway@mofo.com>; Robert McGuire <ram@lawram.com>; Daniella P. Stucchi <daniella@khlawfirm.com>; Marilyn Marks <Marilyn@uscgg.org>; Middleton, Caroline L. <CMiddleton@mofo.com>; Anthony A. Rowell <ARowell@hallboothsmith.com>; Nick Kinsley <NKinsley@hallboothsmith.com>; Stephen Delk <SDelk@hallboothsmith.com>
Subject: Re: Subpoenas to Coffee County Board of Elections and Registration and Cheney - Curling v. Raffensperger

Yes, Jennifer, we checked and you are correct. Sorry for the mistake.

Bruce

From: Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>
Date: Friday, August 5, 2022 at 5:43 PM
To: "bbrown@brucebrownlaw.com" <bbrown@brucebrownlaw.com>
Cc: "Cross, David D." <DCross@mofo.com>, "Adam M. Sparks" <sparks@khlawfirm.com>, Russ Abney <rabney@wattsguerra.com>, "Halsey G. Knapp, Jr." <hknapp@khlawfirm.com>, "Kaiser, Mary" <MKaiser@mofo.com>, "Conaway, Jenna B." <JConaway@mofo.com>, Robert McGuire <ram@lawram.com>, "Daniella P. Stucchi" <daniella@khlawfirm.com>, Coalition for Good Governance <Marilyn@uscgg.org>, "Middleton, Caroline L." <CMiddleton@mofo.com>, "Anthony A. Rowell" <ARowell@hallboothsmith.com>, Nick Kinsley <NKinsley@hallboothsmith.com>, Stephen Delk <SDelk@hallboothsmith.com>
Subject: Re: Subpoenas to Coffee County Board of Elections and Registration and Cheney - Curling v. Raffensperger

Bruce, I am out of state and without addressing the other issues in your email I wanted to respond to clarify the point about Cheneys subpoena for documents. I recall that you emailed me two subpoenas from CGG and asked that I accept service which I declined to do until the dates were modified. I just spoke with Mr. Chaney on the phone and he also stated that he has not accepted service for any subpoenas from the coalition plaintiffs. Can you please clarify this issue and forward me any documentation evidencing where Chaney did in fact accept the subpoena as stated in your email below? Which would be unusual as he is represented by counsel. My apologies if the error is on our end. Thank you in advance.

Sent from my iPhone

Jennifer Dorminey Herzog

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On Aug 5, 2022, at 4:08 PM, Bruce Brown <bbrown@brucebrownlaw.com> wrote:

Jennifer,

The Coalition Plaintiffs wanted to get back with you on some of the issues raised by you in your email last Friday, June 29. Many of these issues have already been addressed or overtaken by events, and I have deleted those from the email below but retained the original paragraph/item number. Note that there were many emails in this chain both before and after your email below that I have deleted.

Before addressing these items, we would like to emphasize, as David Cross wrote to you this morning, that the County is duty bound to obtain the data from the Coffee County EMS and ICC from the Secretary of State and produce a copy to the Plaintiffs in response to our subpoena. We need that production immediately. You have never denied that Coffee County is required by state and federal law to retain a copy of all of those records. Coffee County is in continuing violation of the law. It must demand that the SOS return the data to it and then produce those records to Plaintiffs in this litigation.

As to the items on your July 29 email, our responses are in bold.

From: Jennifer Dorminey Herzog <jherzog@hallboothsmith.com>

Date: Friday, July 29, 2022 at 5:04 PM

To: "Cross, David D." <DCross@mofo.com>, "bbrown@brucebrownlaw.com" <bbrown@brucebrownlaw.com>, "Adam M. Sparks" <sparks@khlawfirm.com>, Russ Abney <rabney@wattsguerra.com>, "Halsey G. Knapp, Jr." <hknapp@khlawfirm.com>, "Kaiser, Mary" <MKaiser@mofo.com>, "Conaway, Jenna B." <JConaway@mofo.com>, Robert McGuire <ram@lawram.com>, "Daniella P. Stucchi" <daniella@khlawfirm.com>, Coalition for Good Governance <Marilyn@uscgg.org>, "Middleton, Caroline L." <CMiddleton@mofo.com>, "Conaway, Jenna B." <JConaway@mofo.com>

Cc: "Anthony A. Rowell" <ARowell@hallboothsmith.com>, Nick Kinsley <NKinsley@hallboothsmith.com>, Stephen Delk <SDelk@hallboothsmith.com>

Subject: RE: Subpoenas to Coffee County Board of Elections and Registration and Cheney - Curling v. Raffensperger

Will attempt to address each of the below topics in turn:

1. I have confirmed with the Coffee Elections Supervisor there is no "old gray laptop" in the elections' office, and have confirmed again with the County there was no county issued laptop to the Board of Elections and Registration at the time Misty Hampton was employed. I have also reached out to IT to determine if there is a laptop fitting the description that may be in their possession. If it is located, then I expect it unlikely

that its contents will be able to be produced 8/1, but will update you as appropriate in this regard.

Mr. Barnes conducted the November 2021 Nicholls municipal election, including early voting, and would have had to use a laptop for connection to E-Net. Please inquire as to what device he used for early voting and search that device for responsive documents.

5. If you will send revised subpoenas with the new accurate dates and times I will accept service of the Curling subpoenas. To clarify, the agreement was to produce documents in response to the Curling subpoena by 8/1 for an 8/15 depo. We will not be able to produce documents for the CGG subpoena by 8/1. Currently both the County Clerk and County Manager are out of the office and it is unclear when they will be able to return so I will follow up with the expected date of that response. I assume CGG would like to submit a revised subpoena for deposition also for Cheney for 8/15, to which I will accept service, and then we can discuss the document production further. I understand that you will need these documents before Cheney's depo to be helpful, although we are on the tight timeline.

Mr. Cheney accepted service of his document subpoena requiring him to produce documents by today. We look forward to that production.

6. Regarding Ms. Hampton's work email account, yes – it is my understanding IT previously contacted Microsoft and confirmed there was no way to recover the emails. There was no email archiving system in place at that time.

Please confirm that the hard drives of the election office computers have been searched for Outlook archive files.

Thanks,

Bruce

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